

MEETINGS TO DATE 36  
NO. OF REGULARS 23  
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LANCASTER, NEW YORK  
DECEMBER 19, 1988

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 19th day of December 1988 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN  
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
BRUCE SHEARER, TOWN ENGINEER  
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY  
ROBERT L. LANEY, BUILDING INSPECTOR  
THOMAS E. FOWLER, CHIEF OF POLICE

**BID OPENING SCHEDULED FOR 8:00 P.M.:**

At 8:00 P.M., the Town Board considered sealed proposals for furnishing to the Town of Lancaster Building and Zoning Department a new 1989 Four Wheel Drive Vehicle.

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN KWAK, AND CARRIED, by unanimous voice vote, the time for receiving the aforesaid proposals was closed at 8:00 P.M.

Affidavits of Publication and Posting of a Notice to Bidders were presented and ordered placed on file.

**BIDDER**

1. Maier-Schule GMC Inc.  
1745 Walden Avenue  
Buffalo, New York 14225
2. West Seneca Ford, Inc.  
2150 Union Road, P.O. Box 558  
West Seneca, New York 14224

**BID OPENING SCHEDULED FOR 8:00 P.M. (cont'd)**

3. Towne Ford  
3535 Southwestern Blvd.  
Orchard Park, New York 14127
4. DeLacy Ford, Inc.  
5229 Broadway  
Lancaster, New York 14086

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the aforesaid proposals were ordered turned over to the Building Inspector for examination, tabulation and recommendation.

**PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:**

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons for or against renewing a fire protection contract between the Town of Lancaster Fire Protection District and the Bowmansville Volunteer Fire Association, Inc.

Affidavits of Publication and Posting of a Notice of Public Hearing were presented and ordered placed on file.

| PROPOSERS  | OPPOSERS                           |
|--|------------------------------------|
| NONE   | NONE                               |
| COMMENTS   | ADDRESS                            |
| Harold Wolf, President of the Bowmansville Vol. Fire Association, Inc. | 526 Pleasant View Drive, Lancaster |
| Mark Lawniczak   | 61 Heritage Drive, Lancaster       |
| QUESTIONS  | ADDRESS                            |
| Norman Preston   | 29 Meadow Lea, Lancaster           |

ON MOTION BY COUNCILMAN GIZA, AND SECONDED BY COUNCILMAN CZAPLA, AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:25 P.M.

**PUBLIC HEARING SCHEDULED FOR 8:20 P.M.:**

At 8:25 P.M., the Town Board held a Public Hearing to hear all interested persons for or against renewing a fire protection contract between the Town of Lancaster Fire Protection District and the Millgrove Volunteer Fire Department.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSERS**

**OPPOSERS**

NONE

NONE

**COMMENTS**

**ADDRESS**

Gary Bennett, President of the Bowmansville Volunteer Fire Department, Inc.

3594 Town Line Road

**QUESTIONS**

NONE

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:35 P.M.

**PUBLIC HEARING SCHEDULED FOR 8:30 P.M.:**

At 8:35 P.M., the Town Board held a Public Hearing to hear all interested persons for or against renewing a fire protection contract between the Town of Lancaster Fire Protection District and the Town Line Volunteer Fire Department, Inc.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSERS**

**OPPOSERS**

NONE

NONE

**COMMENTS**

**ADDRESS**

Gerald Litwiler, Chief of the Town Line Volunteer Fire Department, Inc.

272 Erie Street

QUESTIONS

NONE

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:40 P.M.

PUBLIC HEARING SCHEDULED FOR 8:40 P.M.:

At 8:40 P.M., the Town Board held a Public Hearing to hear all interested persons for or against renewing a fire protection contract between the Town of Lancaster Fire Protection District and the Twin District Volunteer Fire Company.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

PROPOSENTS

OPPOSENTS

NONE

NONE

COMMENTS

ADDRESS

James Offhaus, Chief, Twin District Volunteer Fire Company  
5097 William Street

QUESTIONS

NONE

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:45 P.M.

PUBLIC HEARING SCHEDULED FOR 9:00 P.M.:

At 9:00 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed contract between the Fire Protection District of the Town of Lancaster and various water districts and water district extensions and Master Water Improvement Area of the Town of Lancaster.

**PUBLIC HEARING SCHEDULED FOR 9:00 P.M.: (cont'd)**

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

**PROPOSENTS****OPPOSENTS**

NONE

NONE

**COMMENTS****QUESTIONS**

NONE

NONE

ON MOTION BY COUNCILMAN CZAPLA, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:05 P.M.

The Town Board later in the meeting adopted a resolution, hereinafter spread at length in these minutes, taking favorable action upon this matter.

**PUBLIC HEARING SCHEDULED FOR 9:00 P.M.:**

At 9:05 P.M., the Town Board held a Public Hearing to hear all interested persons upon the proposed rezone petition of Marrano Development Corp. for rezoning of a R1 to a R2 for townhouse development on property situated on William Street, east of Transit Road.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented copies of letters which were mailed to the Petitioner, and the Erie County Division of Planning, notifying them of the time and place of this Public Hearing.

The Town Clerk presented a Zoning Coordination Referral from the Erie County Division of Planning wherein the Division acknowledged receipt of a Notice of this Public Hearing and commented as follows:

~~"No Recommendation but SEQB requirements~~ should be fulfilled prior to making a decision on this rezoning actions."

The Town Clerk presented a letter from the Town of Lancaster Planning Board to the Town Board recommending approval of the proposed rezone.

**PUBLIC HEARING SCHEDULED FOR 9:00 P.M. (cont'd)****PROPOSERS****ADDRESS**

Mike Marrano, President of Marrano Development Corp.,  
4040 Clinton Street  
West Seneca, New York 14224

**OPPOSERS****COMMENTS**

NONE

NONE

**QUESTIONS**

NONE

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER  
AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 9:20  
P.M.

The Supervisor informed those present that the Town Board would  
reserve decision on this matter.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town  
Board, held on December 5, 1988, and the minutes from the Special Meeting of  
the Town Board, held December 12, 1988, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-MIN (P1)

PREFILED RESOLUTION NO. 2

Czapla/\_\_\_\_\_ Approve Fire Contracts

Councilman Czapla withdrew Prefiled Resolution No. 2 for further study.



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, pursuant to Notice duly given, has held a public hearing on a proposed contract between the Fire Protection District of the Town of Lancaster and the following water districts, water district extensions and Master Water Improvement Area in the Town of Lancaster, Erie County, New York, to wit:

Water District No. 1 and Extensions Nos. 4, 5, 7, 8, 9,  
10 and 11 thereto,  
Water District No. 2 and Extension Nos. 1 and 2 thereto;  
Water District No. 3 and Extensions Nos. 2, 3, 4, 5, 6, 6,  
and 8 thereto;  
Water District No. 4 and Extensions Nos. 1, 2 and 3 thereto;  
Water District No. 5  
Water District No. 7 and Extensions Nos. 1, 2, 3 and 4 thereto;  
Water District No. 8 and Extension No. 1 thereto; and  
Master Warer Improvement Area

in accordance with the provisions of Section 184(a) of the Town Law of the State of New York, and

WHEREAS, the Town Board of the Town of Lancaster, acting on behalf of the Fire Protection District and each of the aforesaid individual Water Districts, Water District Extensions and Master Water Improvement Area of the Town of Lancaster, deems the said Agreement for a supply of water and for the furnishing, erection, maintenance, care and replacement of fire hydrants for fire purposes, in the public interest;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board members of the Town of Lancaster, acting on behalf of the Fire Protection District of the Town of Lancaster and also as Commissioners of the following Water Districts, Water District Extensions and Master Water Improvement Area of the Town of Lancaster, Erie County, to wit:

Water District No. 1 and Extensions Nos. 4, 5, 7, 8, 9,  
10 and 11 thereto;  
Water District No. 2 and Extensions Nos. 1 and 2 thereto;

Water District No. 3 and Extensions Nos. 2, 3, 4, 5, 6, 7,  
and 8 thereto;

Water District No. 4 and Extensions Nos. 1, 2 and 3 thereto;

Water District No. 5

Water District No. 7 and Extensions Nos. 1, 2, 3 and 4 thereto;

Water District No. 8 and Extension No. 1 thereto; and

Master Water Improvement Area

do hereby approve the Agreement between the Fire Protection District of the  
Town of Lancaster and the said Water Districts and Water District Extensions  
and Master Water Improvement Area of the Town of Lancaster for a supply of  
water and for the furnishing, erection and maintenance, care and replacement  
of fire hydrants for fire purposes, and

BE IT FURTHER

RESOLVED, that the Supervisor is directed to execute said Agreement  
for the Fire Protection District and each Town Board Member of the Town of  
Lancaster shall execute said Agreement on behalf of the Water Districts and  
Water District Extensions and Master Water Improvement Area.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, James DiLapo, Jr., 33 Rumsey Road, Buffalo, New York, has  
requested the Town Board of the Town of Lancaster to accept work completed  
under a Public Improvement Permit within Forestream Village Subdivision,  
Phase I, within the Town of Lancaster, and

WHEREAS, the Town Engineer has inspected the improvements and has  
recommended the approval thereof,

NOW, THEREFORE, BE IT

RESOLVED, that the following completed Public Improvement within  
Forestream Village Subdivision, Phase I, be and is hereby approved and  
accepted by the Town Board of the Town of Lancaster:

P.I.P. No. 155 - Water Line

conditioned, however, upon the following:

1. Receipt and approval by the Town Attorney of deeds, easements  
title report, title insurance and bill of sale to improvements  
for the property conveyed to the Town of Lancaster.
2. Receipt and approval by the Town Clerk of maintenance bonds for  
each of the improvements accepted herein.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-P.I.P. (3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, PAUL PIJANOWSKI, residing at 3646 Bowen Road, Lancaster,  
New York, has applied for a Dumping Permit for the subject premises, and

WHEREAS, the Town Engineer and Building Inspector have reviewed  
the proposed dumping area and made recommendations to the Town Board this  
dumping permit;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby  
denies the Dumping Permit to the aforementioned Paul Pijanowski for the  
premises known as 3646 Bowen Road, Lancaster, New York, after the review and  
recommendation of the Town Engineer and Building Inspector for the reason that  
Town Ditch E-1 crosses this lot and dumping or depositing fill on the premises  
will aggravate drainage problems in the area.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was thereupon unanimously adopted.

December 19, 1988

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA, , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, It is necessary to make various transfers within the 1988  
budget accounts of the Town of Lancaster at the close of Town business on  
December 31, 1988,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and  
hereby is authorized and directed to make such transfers to all  
over-expended accounts from available funds in the 1988 Budget upon the  
close of Town business on December 31, 1988.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was theruepon unanimously adopted.

December 19, 1988

File: R-A-ACCT-TF (P3)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, Pine Hill Concrete Mix Corporation, 2255 Bailey Avenue,  
Buffalo, New York, Lancaster Stone Products Corporation, 5833 Main Street,  
Buffalo, New York and Buffalo Crushed Stone, Inc., 8615 Wehrle Drive,  
Williamsville, New York have filed applications with the Town Clerk of the  
Town of Lancaster, to make excavations within the Town of Lancaster during  
the Year 1989,

NOW, THEREFORE, BE IT  
RESOLVED, as follows:

Section 1 - That the Town Clerk of the Town of Lancaster is hereby  
authorized to issue a permit to **Pine Hill Concrete Mix  
Corporation**, 2255 Bailey Avenue, Buffalo, New York, for  
the purpose of making excavations within the Town of  
Lancaster during the year 1989 in accordance with the  
application of the corporation as filed in the Office of  
the Town Clerk, with bond amount hereby set in the amount  
of \$50,000.00.

Section 2 - That the Town Clerk of the Town of Lancaster is hereby  
authorized to issue a permit to **Lancaster Stone Products  
Corporation**, 5833 Main Street, Buffalo, New York, for the  
purpose of making excavations within the Town of Lancaster  
during the year 1989 in accordance with the application of  
the corporation as filed in the Office of the Town Clerk,  
with bond amount hereby set in the amount of \$50,000.00.

Section 3 - That the Town Clerk of the Town of Lancaster is hereby  
authorized to issue a permit to **Buffalo Crushed Stone  
Incorporated**, 8615 Wehrle Drive, Williamsville, New York,  
for the purpose of making excavations within the Town of  
Lancaster during the year 1989 in accordance with the  
application of the corporation as filed in the Office of  
the Town Clerk, with bond amount hereby set in the amount  
of \$50,000.00.

and,

BE IT FURTHER

RESOLVED, that the following surety bonds be and are hereby  
approved as to form and sufficiency:

The Travelers Indemnity Company and Buffalo Crushed Stone,  
Incorporated in the amount of \$50,000.00.

The Travelers Indemnity Company and Lancaster Stone Products,  
Corporation in the amount of \$50,000.00.

The Fidelity and Deposit Company of Maryland and Buffalo Crushed  
Pine Hill Concrete Mix Corporation in the amount of \$50,000.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was thereupon unanimously adopted.

December 19, 1988

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, it is in the public interest for the Town Recreation  
Commission to operate a playground facility on William Street in the Town of  
Lancaster on property owned by the Twin District Volunteer Fire Co., Inc.,  
for the years 1989, 1990 and 1991, and

WHEREAS, the Town Attorney has prepared and filed with the Town  
Clerk, an Agreement setting forth the terms upon which recreational area will  
be utilized by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor be and hereby is authorized and directed to  
execute an Agreement between the Town of Lancaster and the Twin District  
Volunteer Fire Co., Inc., for the lease by the Twin District Volunteer Fire  
Co., Inc, to the Town of Lancaster of the play area on its on William Street  
as heretofore utilized by the Town of Lancaster, for the operation of its  
recreation program during its normal summer season for the years 1989, 1990  
and 1991, and

2. That the Town Attorney make distribution of exeucted copies of  
said Agreement to the appropriate parties.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was thereupon unanimously adopted.

December 19, 1988



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, a vacancy exists in the position of Fire Inspector of the  
Town of Lancaster due to the removal of David Kolb by the Town Line Volunteer  
Fire Department, Inc., and

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter  
dated December 6, 1988, has notified the Town Board that at their Annual  
Meeting held December 4, 1988, Larry Blair was appointed to fill the unexpired  
term of David Kolb as Fire Inspector for the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby  
appoints **LARRY BLAIR** to the position of Fire Inspector of the Town of  
Lancaster, for the period December 19, 1988 to December 31, 1989.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was thereupon unanimously adopted.

December 19, 1988

FILE: R-FIRE (P4)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated December 7, 1988, had requested permission to have Suzanne Metz, Youth Counselor with the Youth Bureau, attend a one-day workshop sponsored by the Institute for Alcoholism Services and Training, which was held on December 16, 1988 at the Center for Tomorrow, University of Buffalo, Amherst Campus,

NOW, THEREFORE, BE IT

RESOLVED, that SUZANNE METZ, Youth Counselor with the Youth Bureau of the Town of Lancaster, be and hereby is given the authorization needed retroactively in having attended the one-day workshop sponsored by the Institute for Alcoholism Services and Training, which was held on December 16, 1988 at the Center for Tomorrow, University of Buffalo, Amherst Campus, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses be authorized in an amount not to exceed a total of \$35.00, and

BE IT FURTHER

RESOLVED, that said reimbursement will be made only upon submission of proper documentation and substantiation of expenses, including receipts, to the Accounting Department of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-SEM-MTGS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, VALVOLINE INSTANT OIL CHANGE has applied for a Special Use Permit for an instant oil change facility at Transit Road and Wehrle Drive, and

WHEREAS, the Town Board held a hearing on November 21, 1988, regarding this application, and

WHEREAS, the Hearing was held open for purposes of receiving comments by Chief of Police regarding the plan of development and a written report having been so received,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby grants a Special Use Permit to applicant, Valvoline Instant Oil Change for the site located at Transit and Wehrle Drive incorporating conditions as outlined by Chief of Police and Planning Board, as follows:

1. To insure safe exit from the site a "RIGHT TURN ONLY" sign is required to be installed at point of exit onto Transit Road.
2. Plans for all signs, plantings or any obstructions located within the area extending thirty (30) feet north of the north edge of the paved driveway exit onto Transit Road should be submitted to the Town of Lancaster Chief of Police for his approval.

Furthermore, no signs, plantings or other obstructions shall be located between the south edge of the driveway exit to Transit Road and the south lot line of the property without the Town of Lancaster Chief of Police approval.

All landscaping not exceeding 18" in height is excepted from the above mentioned conditions.

3. Plans for any signs, plantings or improvements of any sort extending thirty (30) feet east or west of the paved driveway exiting onto Wehrle Drive shall be submitted to the Town of Lancaster Chief of Police for his approval.

Any landscaping not exceeding 18" in height is  
excluded from the above requirement.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call, which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was thereupon unanimously adopted.

December 19, 1988

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

BE IT RESOLVED, that the Town Board of the Town of Lancaster does hereby elect to assume the additional cost required to provide the reopening of the twenty-year plan (384-d) pursuant to Chapter 679 of the Laws of 1987, entitled "An act to reopen the twenty and twenty-five year retirement plans to policemen and firemen".

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Lighting Committee of the Town Board of the Town of Lancaster has requested, and the New York State Electric and Gas Corporation has submitted proposals, dated December 12, 1988 and December 16, 1988, for improvement of street lighting on Gale Drive North & South, Grace Way, Hidden Trail and Arrow Trail, within Consolidated Lighting District No. 1 of the Town of Lancaster, and

WHEREAS, the said Lighting Committee, after investigation, review and consideration has recommended the said installations,

NOW, THEREFORE, BE IT

RESOLVED, that the New York State Electric and Gas Corporation be and is hereby authorized to make the following installations:

Gale Drive North & South (18):

Grace Way (6):

Install 24-3300 lumen HPS post-top lamps @ 93.23 ea. - \$2237.52  
(Stds. 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18)  
(Stds. 1,2,3,4,5,6)

TOTAL ANNUAL INCREASE - \$2237.52

Hidden Trail (13):

Arrow Trail (8):

Install 21-3300 lumen HPS post-top lamps @ 93.23 ea. = \$1957.83  
(Stds. 1,2,3,4,5,6,7,8,9,10,11,12,13)  
(Stds. 1,2,3,4,5,6,7,8)

TOTAL ANNUAL INCREASE - \$1957.83

and,

BE IT FURTHER

RESOLVED, that these proposals are made contingent upon the terms and conditions covered in New York State Electric and Gas Corp.'s street lighting filed tariff agreements with the Town of Lancaster, District No. 1.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-LGHTNG (P1)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, after review and consideration, has determined that certain benefits should be accorded the Chief of Police of the Town of Lancaster as are similar to those benefits which are presently enjoyed by the members of the collective bargaining unit of the Town Police Department, and

WHEREAS, the Town Attorney has prepared an agreement which recites the terms and conditions of the extension of these benefits to the Chief of Police,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute an agreement on behalf of the Town of Lancaster with the Chief of Police providing for certain additional insurance benefits as will provide the Chief of Police with benefits similar to those enjoyed by the members of the collective bargaining unit of the Town of Lancaster Police Department.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was thereupon unanimously adopted.

December 19, 1988

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT;

WHEREAS, vacancies exist on the Youth Board of the Town of  
Lancaster, and

WHEREAS, the Executive Director of the Youth Bureau of the Town of  
Lancaster, by letter dated December 7, 1988 has recommended individuals to  
fill said vacancies,

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals be and are hereby  
appointed members of the Town of Lancaster Youth Board for the period  
December 19, 1988 to May 31, 1990.

Rev. Gregory Dobson  
St. Mary's on the Hill  
Lancaster, New York

Carol Faulhaber  
25 Brunck Road  
Lancaster, New York

Jonathan Legg  
79 Holland Avenue  
Lancaster, New York

Rebecca Waite  
16 W. Home Road  
Bowmansville, New York

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-BD-MEMBERS (P3)



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore annually authorized the administration of a Tree Planting Program for the purpose of beautifying the rights-of-way of public highways and streets of the Town of Lancaster by furnishing and planting shade trees, and

WHEREAS, funds have been provided in the current 1989 General Town Budget for the 1989 Tree Planting Program, and

WHEREAS, the Tree Planting Committee of the Town Board has reviewed the Town of Lancaster's 1989 Tree Planting Program and recommends the planting of certain species of trees on certain streets in accordance with the official Tree Planting Master Plan of the Town of Lancaster and specifications on file in the Town Clerk's Office in the Town Hall, Lancaster, New York,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That sealed bids be received by this Town Board up to 8:15 o'clock P.M., Local Time, on January 3, 1989, for meeting the requirements of the Town of Lancaster's 1989 Tree Planting Program and for supplying of trees in accordance with specifications on file in the Town Clerk's Office in the Town of Lancaster, New York, and

2. That the Town Clerk be and is hereby authorized to have a Notice to Bidders and Nurserymen published in the Lancaster Bee, and to have said Notice posted as required by Law, which Notice shall be in form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

|                   |       |     |
|-------------------|-------|-----|
| COUNCILMAN CZAPLA | VOTED | YES |
| COUNCILMAN GIZA   | VOTED | YES |
| COUNCILMAN KWAK   | VOTED | YES |
| COUNCILMAN MILLER | VOTED | YES |
| SUPERVISOR KEYSA  | VOTED | YES |

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-B.O.-TREE (P1)

LEGAL NOTICE

TOWN OF LANCASTER  
NOTICE TO BIDDERS  
OR NURSERYMEN

NOTICE IS HEREBY GIVEN that sealed bids will be received by this Town Board up to 8:15 o'clock P.M., Local Time, on January 3, 1989, for meeting the requirements of the Town of Lancaster's Tree Planting Program and for the supplying of such required trees in accordance with specifications on file in the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

Each proposal must be accompanied by a check payable to the Town of Lancaster or a bid bond, having as surety thereon a surety company acceptable to the Town Attorney, in the amount of Two Hundred Fifty Dollars (\$250.00) conditioned that, if his proposal is accepted, he will enter into a contract for the same and that he will execute any such further security as may be required for the faithful performance of the contract.

The Town Board of the Town of Lancaster reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

December 19, 1988

File: R-B.O.-TREE (P2)

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

Claim No. 5327 to Claim No. 5581 Inclusive.

Total amount hereby authorized to be paid:

**\$280,922.94**

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-CLAIMS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and  
are hereby approved and the issuance of these Building Permits be and are  
hereby authorized:

**CODES:**

(T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to  
the provisions of Chapter 30-26 of the Code of the Town of  
Lancaster.

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of  
Lancaster are waived.

| NO. | CODE    | NAME                | ADDRESS             | STRUCTURE             |
|-----|---------|---------------------|---------------------|-----------------------|
| 593 |         | Donald Marvel       | 29 Plumb Creek Tr   | ER. FENCE             |
| 594 | (T)     | Valiant Home Bldrs. | 16 Running Brook Dr | ER. SIN. DWLG         |
| 595 | (T)     | Homes By Walter     | 46 Gale Dr          | ER. SIN. DWLG         |
| 596 |         | Jos. Mendola        | 331 Lake Ave        | ER. FIREPLACE         |
| 597 |         | Telesco Assoc.      | 4401 Walden Ave     | EXT. STORAGE<br>BLDG. |
| 598 | (T)(SW) | Roobert Kassel      | 21 Brunck Rd        | ER. SIN. DWLG         |
| 599 |         | Walt's Tree Service | 4911 Transit Rd     | DEM. SIN. DWLG        |
| 600 |         | Daniel Latello      | 33 Brunck Rd        | ER. SHED              |

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW)  
for sidewalk waiver be and are hereby approved with a waiver of the Town  
Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

File: R-BLDG

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster has determined that certain of the Town's Capital Projects are deemed to be completed, and

WHEREAS, the Town Board wishes to properly direct the disposition of the unexpended cash balances of these projects,

NOW, THEREFORE, BE IT

RESOLVED, that the Capital Projects listed below are hereby deemed complete and that their respective accounts on the Town's books be closed (with exception of those accounts which are necessary to properly record the liability associated with any and all outstanding debt of the project and/or subsequent retirement of said debt), and

BE IT FURTHER

RESOLVED, that the cash balances, as specified below, of the following Capital Projects of the Town of Lancaster, are to be transferred to the Reserve for Debt Service account of their respective operating fund, also specified below:

| <u>Project Name/Description</u> | <u>Auth.<br/>Date</u> | <u>Balance</u> | <u>Operating Fund</u>  |
|---------------------------------|-----------------------|----------------|------------------------|
| Supervisor's Office Computer    | 09/04/84              | \$ 384.37      | General Fund           |
| Ambulance                       | 03/17/87              | 4,095.00       | General Fund           |
| Police/Court Bldg. Recon.       | 09/08/87              | 8,855.14       | General Fund           |
| Enterprise Dr. Water Ext.       | 03/16/87              | 11,059.00      | Master Water Imp. Area |
| Highway Equipment               | 11/03/86              | 83.00          | Part Town Highway      |

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES      COUNCILMAN KWAK VOTED YES  
COUNCILMAN GIZA VOTED YES      COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

Councilman Giza requested a suspension of the necessary for immediate consideration of the following resolution:

SUSPENSION GRANTED. THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, Section 467 of the Real Property Tax Law of the State of New York has been amended to authorize exemption from real property taxation on a graduated scale for total income from Twelve Thousand Twenty-five Dollars \$12,025 to a total not exceeding Fifteen Thousand Twenty-five Dollars (\$15,025.) and

WHEREAS, the increase in income eligibility for town taxes will place no particular burden on the taxpaying public, but will materially improve the economic ability of our senior citizens in coping with the ravages of inflation while living on fixed retirement income in their declining years, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to adopt and enact said exemption from real property taxation on said graduated scale;

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 467 of the Real Property Tax Law of the State of New York, a Public Hearing on the enactment by resolution of a senior citizens tax exemption will be held on the 3rd day of January, 1989, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster New York, and that a Notice of the time and place of such hearing shall be published in the Lancaster Bee, the official newspaper, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN, that pursuant to Section 467 of the Real Property Tax Law of the State of New York, and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 19th day of December, 1988, the said Town Board will hold a Public Hearing on the 3rd day of January, 1989, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, upon the resolution authorizing Senior Citizens Tax Exemption, as follows:

SENIOR CITIZENS TAX EXEMPTION

1. Exemption granted.

Real property owned by one (1) or more persons, each of whom is sixty-five (65) years of age or over, or real property owned by husband wife, one (1) of whom is sixty-five (65) years of age or over, shall be exempt from taxation by the Town of Lancaster to the extent as provided in the following schedule:

| <u>ANNUAL INCOME</u>                           | <u>PERCENTAGE ASSESSED<br/>VALUATION EXEMPT FROM<br/>TAXATION</u> |
|--|---|
| Not More than \$12,025                         | 50 per centum   |
| More than \$12,025, but<br>Less than \$12,525. | 45 per centum   |
| More than \$12,525, but<br>Less than \$13,025  | 40 per centum   |
| More than \$13,025, but<br>Less than \$13,525. | 35 per centum   |
| More than \$13,525, but<br>Less than \$14,025  | 30 per centum   |
| More than \$14,025, but<br>Less than \$14,525  | 25 per centum   |
| More than \$14,525, but<br>Less than \$15,025  | 20 per centum   |

2. Exceptions; application; penalties for offenses.

A. No exemption shall be granted:

1. If the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application for exemption exceeds the sum of the maximum income exemption eligibility level for the granting of a partial exemption from real property taxation as provided in Paragraph (a) of Subdivision Three of Section Four Hundred Sixty-seven of the Real Property Tax Law of the State of New York, plus an amount not to exceed two thousand nine hundred ninety-nine dollars and ninety-nine cents, and consistent with the schedule provided for in subdivision one (1) hereof. Income tax year shall mean the twelve month period for which the owner or owners filed a Federal Personal Income Tax Return, or if no such return is filed, the calendar year, where title is vested in either the husband or the wife, their combined income may not

exceed such sum. Such income shall include social security and retirement benefits, interest, dividends total gain from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings and net income from self-employment but shall not include a return of capital, gifts or inheritances. In computing net rental income and net income from self-employment, no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income;

2. Unless the title of the property shall have been vested in the Owner or one of the owners of the property for at least twenty-four consecutive months prior to the date of making application for exemption, provided, however, that in the event of the death of either a husband or wife in whose name title of the property shall have been vested at the time of death and then becomes vested solely in the survivor by virtue of devise by or descent from the deceased husband or wife, the time of ownership of the property by the deceased husband or wife shall be deemed also a time of ownership by the survivor and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four consecutive months, provided further, that in the event of a transfer by either a husband or wife to the other spouse of all or part of the title to the property the time of ownership of the property by the transferor spouse shall be deemed also a time of ownership by the transferee spouse and such ownership shall be deemed continuous for the purposes of computing such period of twenty-four consecutive months and provided further that where property of the owner or owners has been acquired to replace property formerly owned by such owner or owners and taken by eminent domain or other involuntary proceeding, except a tax sale, the period of ownership of the former property shall be combined with the period of ownership of the property for which application is made for exemption and such periods of ownership shall be deemed to be consecutive purposes of this section. Where a residence is sold and replaced with another within one year and is in the same assessing unit or municipality, the period of ownership of the former property shall be combined with the period of ownership of the replacement residence and deemed consecutive for exemption from taxation by each such assessing unit or municipality, provided, however, that where the replacement property is in the same assessing unit, but another school district, the periods of ownership of both properties shall also be deemed consecutive for purposes of the exemption from taxation by such school district. Notwithstanding any other provision of law, where a residence is sold and replaced with another within one year and both residences are within the state, the period of ownership of both properties shall be deemed consecutive for purposes of the exemption from taxation by a municipality within the state granting such exemption.
3. Unless the property is used exclusively for residential purposes.
4. Unless the real property is the legal residence of and is occupied in whole or in part by the owner or by all of the owners of the property.



- B. Application for such exemption must be made by the owner or all of the owners of the property on forms to be furnished by the Town Assessor's Office, and such application shall furnish the information and be executed in the manner required or prescribed in such forms and shall be filed in such Assessor's Office on or before the appropriate taxable status date.
- C. Any conviction of having made any willfully false statement in the application for such exemption shall be punishable by a fine of not more than one hundred dollars (\$100.) and shall disqualify the applicant or applicants from further exemption for a period of five (5) years.

3. When effective.

This resolution shall be effective immediately.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE  
TOWN OF LANCASTER

BY: ROBERT P. THILL  
Town Clerk

December 19, 1988

Councilman Miller requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster entered into a contract with Schreiber Contracting Co., Inc., as the low bidder to perform a renovation of the School Street Bridge, and

WHEREAS, the contractor has applied for final payment of the aforementioned contract, and

WHEREAS, the Krehbiel Associates, consulting engineers of the Town of Lancaster, has inspected the bridge and advised the Town Board that the bridge work has been satisfactorily completed and recommends final payment to the contractor;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes final payment to Schreiber Contracting Co., Inc. for the School Street Bridge renovation project and further that the Town Board accepts the bridge work as completed by the aforementioned contractor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA, WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER, TO WIT:

WHEREAS, the Town Board, by resolution dated May 19, 1986 appointed Suzanne Metz to the position of Youth Counselor in the service of the Town of Lancaster, on a provisional basis, and

WHEREAS, the Executive Director of the Youth Bureau and Drug Abuse Prevention Council of the Town of Lancaster, by letter dated December 16, 1988, has informed the Town Board that Suzanne Metz has successfully passed qualifying Civil Service examinations for appointment to the permanent position of Youth Counselor in the service of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that SUZANNE METZ be and is hereby appointed to the permanent position of Youth Counselor in the service of the Town of Lancaster effective December 19, 1988.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

December 19, 1988

file: R-PERS-UPGR (P3)

**STATUS REPORT ON UNFINISHED BUSINESS:**

1. Detention Basin - Milton Drive  
On June 6, 1988, the Town Engineer was directed to expedite this project.
2. Dumping Permit - Paul Piljanowski  
On December 19, 1988 the Town Board denied this dumping permit. The Town Clerk was directed to remove this item from future Town Board Agendas.
3. Dumping Permit - Raymond Mazzanti  
On November 21, 1988, this matter was referred to the Building Inspector and Town Engineer for review and recommendation.
4. Excavating Permit - Amador Construction (Schaff Property Site)  
On August 23, 1988, this matter was referred to the Planning Board, Town Engineer, Building Inspector, and Planning Consultant for review and recommendation. On September 7, 1988, the Planning Board recommended approval of this permit.
5. Public Improvement Permit Authorization - Foreststream Village Subdivision Phase I (DILapo)  
This item remains on unfinished business until P.I.P. Nos. 157 (floodway grading) and 163 (street lighting) are accepted by the Town Board. The developer also needs to complete a bridge barrier by February 1, 1989 and pavement topping by August 1, 1990.
6. Public Improvement Permit Authorization - Indian Pine Village (Fischione Const., Inc.)  
On August 10, 1987, the Town Clerk was authorized to issue P.I.P. Nos. 122 (street lighting), 123 (sidewalk) and 125 (storm sewer). On September 8, 1987, the Town Clerk was authorized to issue P.I.P. No. 128 (Detention Basin). On December 21, 1987 the Town Board accepted P.I.P. No. 124 (pavement & curbs), and 125 (water lines).
7. Public Improvement Permit Authorization - The Meadows (Giallanza)  
This item remains on unfinished business until P.I.P. No. 162 (street lighting and sidewalks) is accepted by the Town Board.
8. Public Improvement Permit Authorization - Pine Tree Farm (Josela - East off Aurora Street)  
On November 7, 1988, the Town Board accepted P.I.P. No. 159 (water line).
9. Public Improvement Permit Authorization - Plumb Estates (Galasso)  
This item remains under unfinished business until P.I.P. Nos. 114 (street lighting) and 127 (retention pond) are accepted by the Town Board.
10. Public Improvement Permit Authorization - Plumb Estates South, Phase I (Galasso)  
This item remains under unfinished business until P.I.P. No. 151 (street lighting) is accepted by the Town Board.

11. Public Improvement Permit Authorization - Plumb Estates South, Phase II (Gallasso)  
This item remains under unfinished business until P.I.P. No. 160 (street lighting) is accepted by the Town Board.
12. Public Improvement Permit Authorization - Warnerview Estates, Phase I (Donato)  
This item remains under unfinished business until P.I.P. No. 129 (detention basin) and P.I.P. No. 152 (street lighting) is accepted by the Town Board.
13. Public Improvement Permit Authorization - Warnerview Estates, Phase II (Donato)  
This item remains under unfinished business until P.I.P.s for street lighting and sidewalks are applied for and approved. Also, maintenance bonds need to be filed.
14. Rezone Petition - Luca Ballagh  
On October 3, 1988, the Town Board held a public hearing on this matter and reserved decision.
15. Rezone Petition - Robert J. Deutschlander  
On September 6, 1988, the Town Board held a public hearing on this matter and reserved decision.
16. Rezone Petition - Genesis Development of W.N.Y., Inc.  
On December 9, 1988, this matter was referred to the Planning Board for review and recommendation.
17. Rezone Petition - Marrano Development Corp.  
On December 19, 1988, the Town Board held a public hearing on this matter and reserved decision.
18. State Contract Grant - 40 Clark Street Museum  
Application for grant has been filed.
19. State Contract Grant - Hazmat Team  
On December 19, 1988 the Supervisor received a \$76,000.00 grant check for the HAZMAT Team. The Town Clerk was directed to remove this item from future Town Board Agendas.
20. Subdivision Approval - Meadowland Subdivision (Bosse - Off Redleln Dr.)  
On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.
21. Subdivision Approval - Pine Tree Farm (Josela - Off Aurora St.)  
On June 1, 1988, this matter was referred to the Planning Board, Town Engineer, Building Inspector, Planning Consultant, Highway Superintendent, Police Chief and Twin District Fire Chief for review and recommendation. On June 6, 1988, a SEQR review was held on this matter and a Negative Declaration adopted.

**STATUS REPORT ON UNEFINISHED BUSINESS CONT'D:**

22. Traffic Survey - William Street East to Schwartz Road  
On May 16, 1988, this matter was referred to the Police Chief for report.
23. Traffic Survey - Genesee Street East of Harris Hill Road  
On May 16, 1988, this matter was referred to the Police Chief for report and recommendation.
24. Zoning Ordinance and Map Update  
On December 12, 1988, the Town Board held a Public Hearing on this matter and reserved decision.
25. Zoning Ordinance Amendment - Campers and Boats  
On March 21, 1988, the Town Board held a public hearing on this matter and reserved decision.
26. Zoning - Special Use Permit - Valvoline Instant Oil Change  
On November 7, 1988, the Town Board set a Public Hearing on this matter for November 21, 1988. On November 21, 1988, the Town Board held a public hearing on this matter and reserved decision. On December 19, 1988 the Town Board approved this Special Use Permit. The Town Clerk was directed to remove this item from future Town Board Agendas.

**PERSONS ADDRESSING TOWN BOARD:**

Edward Lawniczak, 30 Steinfeldt Road, spoke to the Town Board relative to damage to his personal lawn mower allegedly caused by a stone in his lawn deposited there by a passing truck on Steinfeldt Road. The Town Attorney informed the Board and Mr. Lawniczak that the Town has no liability in this matter.

**COMMUNICATIONS:****DISPOSITION**

1070. Michael Passucci to Town Board -  
Opposition to proposed new Zoning Map and Ordinance.
1071. Recreation Dir. to Town Board -  
Report of attendance at conference.
1072. Town Engineers to Town Board -  
Recommendation that Forestream Village Subdivision, Phase 1 water line be accepted.
1073. Jim Jagiello to Town Board -  
Transmittal of data and comments re: proposed new Zoning Map and Ordinance.
1074. Town Line V.F.D. to Town Clerk -  
Notice of appointment of Larry Blair as fire Inspector to replace Dave Kolb.
1075. Assessor to Town Board -  
Comments re: new Garbage District.
1076. Police Chief to County Highway Maintenance Dept. and Highway Supt. -  
Request installation of guardrails at both north and south edges of Country View Way curving onto Central Ave.
1077. Assessor to Town Board -  
Explanation of error in assessed value re: Fire and Light Districts.
1078. Town Clerk to Town Board -  
Transmittal of draft of resolutions to be adopted at Organizational Meeting of 1/3/89.
1079. Town Engineers to County Water Authority -  
Transmittal of data re: Forestream Village Subdivision, Phase 1 water line.
1080. Norstar Bank to Town Board -  
Request designation as official depository for Town during 1989.
1081. Assessor to Town Board -  
Lighting District total.
1082. Blue Shield of Western New York, Inc. to Supervisor -  
Comments re: services and coverage.
1083. Youth Bureau Ex. Dir. to Supervisor -  
Recommendation of four members to Youth Board.
1084. Youth Bureau Ex. Dir. to Supervisor -  
Request permission to have Suzanne Metz attend workshop on 12/16/88 at U.B. Amherst Campus.
1085. Assessor to Town Board -  
Transmittal of correct figures re: fire districts.
1086. SIREN -  
Article entitled "Hazmat Expo Conducted at Fire Academy".
1087. Town Clerk to Planning Board Chairman -  
Transmittal of rezone petition of Genesis Development of W.N.Y., Inc.

R &amp; F

R &amp; F

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R &amp; F

**COMMUNICATIONS CONT'D.:****DISPOSITION**

|  |   |
|--|---|
| 1088. McIntosh & McIntosh to Supervisor -<br>Comments re: Foreststream Village Subdivision,<br>Phase I.  | R & F                                     |
| 1089. N.Y.S. Dept. of Environ. Conservation to<br>Supervisor -<br>Followup to 11/28/88 meeting to discuss flood<br>plain management in Town.                     | R & F                                     |
| 1090. Michael Passucci to Town Board - (Duplicate of<br>No. 1070).<br>Opposition to proposed new Zoning Map and<br>Ordinance.                                    | R & F                                     |
| 1091. County Dept. of Environ. and Planning to N.E.<br>Solid Waste Mgt. Board Members -<br>Notice of meeting to be held 12/15/88 at<br>Buffalo.                  | R & F                                     |
| 1092. Various Town Residents to Town Board -<br>Opposition to proposed new Zoning Map and<br>Ordinance.  | R & F                                     |
| 1093. Police Chief to Public Safety Comm. Chairman -<br>Request sale of surplus vehicle.   | TOWN CLERK FOR<br>RESOLUTION              |
| 1094. County Board of Health to Town Clerk -<br>Transmittal of proposed amendments to Sanitary<br>Code and notice of hearing to be held 1/11/89<br>re: same.     | TOWN ATTORNEY<br>WRITE LETTER<br>OPPOSING |
| 1095. David M. Lechner to Town Board -<br>Concerns about proposed L1 district.   | R & F                                     |
| 1096. William Kornacki to Town Board -<br>Opposition to proposed new Zoning Map and<br>Ordinance.  | R & F                                     |
| 1097. Youth Bureau Ex. Dir. to Town Clerk -<br>Notification of resignation of Rev. John<br>Whiteford as Member, Drug Abuse Prevention<br>Council effective 6/88. | R & F                                     |
| 1098. Receiver of Taxes to Town Board -<br>Final Report of 1988-89 School Tax Collection.  | R & F                                     |
| 1099. Planning Board to Town Board -<br>Minutes from meeting held 12/7/88.   | R & F                                     |
| 1100. NYSDOT to Supervisor -<br>Comments re: Transit Rd. Project.  | R & F                                     |
| 1101. Highway Supt. to Town Board -<br>Comments re: Installation of guardrails -<br>Country View Way and Central Ave.  | SUPERVISOR FOR<br>PHONE CALL              |
| 1102. Town Engineers to Town Clerk -<br>Confirmation of Installation of two hydrants<br>on Enterprise Dr.  | R & F                                     |
| 1103. Lancaster Metro Community News -<br>Article entitled "Ambulance Corps Is Defended".  | R & F                                     |
| 1104. Town Engineers to Paul Pijanowski -<br>Comments re: application for dumping permit.  | R & F                                     |
| 1105. Assemblyman Jos. Piliittere to Supervisor -<br>Notice of Intentions re: reduction of Revenue<br>Sharing Funds.   | R & F                                     |



**COMMUNICATIONS CONT'D.:****DISPOSITION**

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| 1106. County Dept. of Environ. and Planning to Supervisor -<br>Comments re: schedule of fees for Sanitary Sewer Plan Approval.                             | TOWN ATTORNEY LETTER<br>OPPOSING FEE<br>SCHEDULE |
| 1107. Supervisor to Fire Chiefs, Building Inspector and Highway Supt. -<br>Comments re: hydrants.  | R & F  |
| 1108. NYSDOT to Supervisor - (Duplicate of 1100.)<br>Comments re: Transit Rd. Project.   | R & F  |
| 1109. Town Engineers to Town Board -<br>Comments re: application for dumping permit of Raymond Mazzanti.   | TOWN CLERK FOR<br>RESOLUTION 173/88              |
| 1110. Town Engineers to Town Board -<br>Comments re: Town of Alden Water Dist.No. 3, Ext. 1.   | R & F  |
| 1111. Town Engineers to Town Board -<br>Recommend acceptance of School Street Project.   | TOWN ATTORNEY FOR<br>SUSPENDED RESOLUTION        |
| 1112. Forence G. Andrzejewski to Sen. Volker -<br>Request assistance re: telephone mileage charges.  | TOWN ATTORNEY FOR<br>LETTER                      |
| 1113. Buffalo News -<br>Article entitled "Major Plaza Planned on Transit-Wehrle Site".   | R & F  |
| 1114. Ecology and Environment, Inc. to Supervisor -<br>Note of appreciation for "Proclamation".  | R & F  |
| 1115. Councilman Kwak to Assem. Graber and Sen. Volker -<br>Request inclusion of Walden Pond Park, Phase II Project in State Supplemental Budget for 1989. | R & F  |
| 1116. County Dept. of Environ. and Planning to Supervisor -<br>Comments re: Sewer District No. 4 Project C-36-390-02.                                      | R & F  |
| Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications -                                |  |
| 1117. NYSEG to Town Clerk -<br>Street Lighting Proposal, District #1 Indian Pine Village Subdivision.  | R & F  |
| 1118. NYSEG to Town Clerk -<br>Street Lighting Proposal, District #1 Plumb Estates South Subdivision.  | R & F  |
| 1119. Association of Erie County Gov. to Supervisor -<br>Meeting Notice for December 29, 1988.   | R & F  |
| 1120 David J. Brown to Town Board -<br>Re: Receipt of Hazmat Grant Funds.  | R & F  |
| 1121. NYS Employee's Retirement System to David J. Brown -<br>Re: Chapter 679, Laws of 1987, the Police and Fire Special Plan Reopener.                    | R & F  |
| 1122. Youth Bureau Director to Town Board -<br>Recommendation for permanent appointment of Suzanne Metz as Youth Counselor.                                | TOWN CLERK FOR<br>SUSPENDED RESOLUTION           |

**ADJOURNMENT:**

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:30 P.M. out of respect to:

FRANCIS FREY  
MICHAEL T. KUPER  
JAMES C. MARTINA  
JOHN G. WEIMER

Signed Robert P. Thill  
Robert P. Thill, Town Clerk